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UNITED STATES OF AMERICA

UNITED STATES DISTRICT COURT

FOR THE CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff/Respondent,

v.

No. 5:18-CR-00114-JGB
5:21-CR-00170-JGB
5:24-CV-02550-JGB
5:24-CV-02552-JGB

CARL BRADLEY JOHANSSON,
aka "Brad Johnson,"
aka "Carl Johnson,"
aka "C. Brad Johanson,"
aka "Jay Johnson,"
aka "Keith Golatta,

Defendant/Petitioner.

GOVERNMENT'S EX PARTE APPLICATION
FOR EXTENSION OF TIME TO RESPOND
TO MOTION TO VACATE, SET ASIDE, OR
CORRECT A FEDERAL SENTENCE UNDER
28 U.S.C. § 2255

[Proposed] Order file concurrently
herewith

Plaintiff/Respondent United States of America, by and through
its counsel of record, the United States Attorney for the Central
District of California and Assistant United States Attorney Matthew
O'Brien, hereby applies ex parte for an order from this Court
extending the time for the government to respond to the motion of
Defendant/Petitioner CARL BRADLEY JOHANSSON to vacate, set aside, or
correct his sentence under 28 U.S.C. § 2255.

The government did not contact defendant regarding this ex parte
application. Defendant is proceeding pro se. He is currently

1 imprisoned at FCI Lompoc I, where he is serving a 10-year sentence.
2 According to the Bureau of Prisons, defendant's projected release
3 date is July 10, 2029.

4 This application is based upon the attached memorandum of points
5 and authorities, all files and records in the case, and upon such
6 further evidence or argument as may be requested by the Court.

7 Dated: June 5, 2025

Respectfully submitted,

8 BILAL A. ESSAYLI
United States Attorney

9 CHRISTINA T. SHAY
10 Assistant United States Attorney
11 Chief, Criminal Division

12 /s/
13 MATTHEW O'BRIEN
Assistant United States Attorney

14 Attorneys for Plaintiff/Respondent
15 UNITED STATES OF AMERICA
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MEMORANDUM OF POINTS AND AUTHORITIES

The government moves ex parte for an order from this Court extending the time for the government to respond to the motion ("Motion") of Defendant/Petitioner CARL BRADLEY JOHANSSON ("defendant") to vacate, set aside, or correct his 120-month sentence under 28 U.S.C. § 2255.

On March 24, 2025, the Court issued an order (1) authorizing the government to issue interrogatories to defendant's three prior attorneys to enable the government to respond to defendant's Motion; and (2) setting forth a schedule for the interrogatories and the government's opposition to the Motion. (Dkt. 470.) On March 27, 2025, the government issued its interrogatories to defendant's three prior attorneys. As of June 5, 2025 (the government's deadline to respond), the government has not received any responses to its interrogatories.

On May 8, 2025, defendant filed an Ex Parte Request For Extension of Time To Respond (C.D. Cal. Case No. 5:24-CV-02550-JGB, Dkt. 10). Defendant sought an additional 60 days to respond to his former attorneys' responses to the interrogatories. The government did not respond to defendant's filing, and the Court did not issue a ruling.

The government has reached out to defendant's prior attorneys regarding the status of the interrogatories. Defense counsel informed the government that they submitted their proposed interrogatory responses to defendant at FCI Lompoc long ago, but have received no responses. The package that one attorney sent to defendant was returned as "Return to Sender"; that attorney then re-sent the package to defendant. Another attorney sent defendant a

1 second copy of the responses as a precaution after receiving notice
2 of defendant's ex parte application.

3 Pursuant to defendant's request for an additional 60 days to
4 respond, and to accommodate the schedules of counsel, the government
5 proposes that the deadlines set by the Court in its March 24, 2025
6 order be extended as follows:

7 a. By no later than July 25, 2025, defendant shall
8 provide to defense counsel any objections to interrogatories believed
9 to be beyond the scope of the waiver, providing reasons for any such
10 objections, or advise defense counsel that he wishes to withdraw the
11 Motion.

12 b. By no later than August 8, 2025, defense counsel shall
13 provide the USAO with either (a) notice that defendant has elected to
14 withdraw the Motion, or (b) written responses, with supporting
15 exhibits, if any, answering the interrogatories propounded by the
16 USAO under penalty of perjury, or noting objections to those
17 interrogatories as being beyond the scope of defendant's waiver,
18 together with the reasons for any such objections. To the extent
19 that defense counsel provides notice to the USAO that defendant has
20 elected to withdraw the Motion, defense counsel shall provide such
21 notice to the Court.

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1 c. By no later than August 29, 2025, the USAO shall file
2 either (1) a motion to resolve defendant's objections (if any) or
3 other unresolved issues; or (2) if defendant has no objections, the
4 opposition brief to defendant's Motion.

5
6 Dated: June 5, 2025

Respectfully submitted,

7 BILAL A. ESSAYLI
8 United States Attorney

9 CHRISTINA T. SHAY
10 Assistant United States Attorney
Chief, Criminal Division

11 /s/
12 MATTHEW O'BRIEN
Assistant United States Attorney

13 Attorneys for Respondent
14 UNITED STATES OF AMERICA
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